

Record/FILE ON DEMAND

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

Nelson L. Bruce,

Plaintiff(s),

vs.

PENTAGON FEDERAL CREDIT UNION
("PENFED"), et al..

Defendant(s).

CASE NO.: 2:22-cv-02211-BHH-MGB

**AFFIDAVIT IN SUPPORT OF
AMENDED MOTION FOR FINAL
DEFAULT JUDGMENT**

I, **Nelson L. Bruce**, the Plaintiff, a natural man in this matter being above the age of 18, of the age of the majority, with reservation of any and all natural rights, and hereby exercise such rights at all times, hereby declare under penalty of perjury that the following facts are true and correct to the best of my knowledge information and belief:

1. I am the Plaintiff in this action;
2. An amended complaint was filed herein on November 2, 2022 adding LexisNexis Risk Solutions, Inc. (herein "LexisNexis") as a defendant in this case who's Legal registered agent, Lisa Coller, a member of C T CORPORATION SYSTEM (See...ECF No. 69) registered with the South Carolina Secretary of State, who is authorized to receive service of process was served a summons and a copy of the complaint by the U.S. Marshals and filed on the record on 2-24-2023 (See...ECF No. 69);
3. The record evidences that LexisNexis Risk Solutions, Inc. is in default and have failed to appear, plead or otherwise defend in this action as they had until March 8, 2023 to do so (See...ECF No. 69);
4. The claims of the plaintiff against defendant, LexisNexis Risk Solutions, Inc. is for the total sum of One Million Nine Hundred Eighty Eight Thousand Two Hundred Fifty Six Dollars (\$1,988,256.00) as computed below based on the claims in the amended complaint against LexisNexis which does not include any costs of litigation, fees or any such other and further relief nor expenses or disbursements of this action:

COMPUTATION OF DAMAGES AS PRESENTED IN PLAINTIFF'S AMENDED COMPLAINT

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|--|-------------|---|
| Pursuant to 15 U.S.C. § 1681n(a)(1)(A) | \$14,248 | Actual damages for willful non-compliance which include Inaccurate balances and amounts reported related to the PenFed (\$13,777) and REVFCU (\$471) tradelines. |
| Pursuant to 15 U.S.C. § 1681n(a)(1)(A) | \$1,396,304 | Punitive damages calculated by multiplying the Actual damages with the 98:1 ratio as decided in Daugherty v. Ocwen Loan Servicing, LLC, 701 F. App'x 246 (4th Cir. 2017) and Younger v. Experian Info. Sols., Inc., No. 2:15-cv-00952, 2019 WL 1296256, at *13 (N.D. Ala. Mar. 21, 2019). |
| Pursuant to 15 U.S.C. § 1681o(a)(1) | \$14,248 | Actual damages for negligent non-compliance which include Inaccurate balances and amounts reported related to the PenFed (\$13,777) and REVFCU (\$471) tradelines. |
| DEFAMATION ("LIBEL") | \$250,000 | As presented in plaintiff's Amended complaint paragraph 111. |
| Pursuant to 37-20-170 (D) | \$85,488 | knowingly and willfully violations which include Inaccurate balances and amounts reported related to the PenFed (\$13,777) and REVFCU (\$471) tradelines multiplied by 3 as the law requires resulting from 2 disputes. |
| Pursuant to 37-20-170 (E) | \$28,496 | Negligent violations which include inaccurate balances and amounts reported related to the PenFed (\$13,777) and REVFCU (\$471) tradelines multiplied again by 2 to cover the 2 disputes. |
| Pursuant to 37-20-200 (A) | \$85,488 | Willfully violations which include Inaccurate balances and amounts reported related to the PenFed (\$13,777) and REVFCU (\$471) tradelines multiplied by 3 as the law requires resulting from 2 disputes. |

| | | |
|--|----------|---|
| Pursuant to 37-20-200 (B) | \$28,496 | Negligent violations which include inaccurate balances and amounts reported related to the PenFed (\$13,777) and REVFCU (\$471) tradelines multiplied again by 2 to cover the 2 disputes. |
| Negligent infliction of emotional distress and intentional infliction emotional distress | \$85,488 | Computed at three (3) times the amount of actual damages as it of relates to (\$13,777) and REVFCU (\$471) tradelines multiplied by 3, multiplied again by 2 to cover the 2 disputes. |

Total amount as computed as demanded in amend complaint: \$1,988,256.00

Nelson L. Bruce 3-24-2023

Nelson L. Bruce, Affiant, Propria Persona, Sui Juris
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U.C.C. 1-308

c/o P.O. Box 3345, Summerville, South Carolina 29484

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Sworn to and subscribed before me this 24 day of March, 2023.

Annie E. Lewis
Notary Public Print:

Annie E. Lewis
Signature

Commission Expires: June 21, 2027

